UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO

IN RE: ORTHO EVRA PRODUCTS LIABILITY LITIGATION	N.D. Ohio Case No. 1:06-40000 MDL Docket No. 1742
This Document Relates To: ALL CASES.	**O R D E R**

The Court conducted a status conference with lead counsel on July 20, 2009 on the issue of post label cases.

A. Designation of cases

Regarding the post label cases, counsel for each side is directed to select four (4) cases involving the November 2005 label change and 4 cases involving the September 2006 label change. The categories of cases shall include: (1) pulmonary embolisms; (2) deep vein thrombosis; and (3) strokes. Each side to designate eight (8) cases on or before December 11, 2009.

Thereafter, each side shall have the right to exercise 4 strikes on or before December 18, 2009. Fact discovery to be completed on or before April 30, 2010.

B. Plaintiff Fact Sheets

Plaintiff Fact Sheets past due as of July 20, 2009 must be served on or before August 7, 2009. For those actions which constitute post label cases, all Plaintiffs and their counsel are reminded of their obligation to comply with Case Management Order 4 (Doc. No. 22). In the event a failure to comply with CMO 4, the Court will entertain a motion to show cause why those particular cases should not be dismissed with prejudice.

The Court reserves the right to impose monetary sanctions regarding those post label cases filed where there exists no evidence of use and/or an event medically related to Ortho Evra.

C. Next Status Conference

The Court will schedule another status conference with lead counsel on October 20, 2009 at 11:00 a.m.

IT IS SO ORDERED.

s/ *David A. Katz*
DAVID A. KATZ
U. S. DISTRICT JUDGE